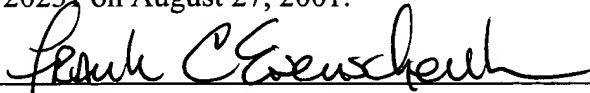


mc

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on August 27, 2001.


Frank C. Eisenschenk, Ph.D., Patent Attorney

Section \$

MISSING PARTS
Examining Group 1653
Patent Application
Docket No. GEN-T111XC3D1
Serial No. 09/853,526

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : (Unassigned)
Art Unit : 1653
Applicants : Daniel Cohen, Marta Blumenfeld, Ilya Chumakov, Lydie Bougueleret
Serial No. : 09/853,526
Filed : May 11, 2001
Confirm. No. : 7147
For : Prostate Cancer Gene

BOX MISSING PARTS
Assistant Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER AND RESPONSE TO
NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

Sir:

The above-referenced patent application was filed with an unsigned Declaration (37 C.F.R. § 1.63) and Power of Attorney form. Transmitted herewith is a fully executed Declaration (37 C.F.R. § 1.63) and Power of Attorney form for the subject application. A Notice to File Missing Parts of Nonprovisional Application was received from the Patent and Trademark Office, and a copy of that Notice is attached hereto.

Applicants are providing, by way of the attached Submission of Sequence Listing and Statement Under 1.821, the electronic and paper versions of the sequence list for the above-referenced application.

Applicants acknowledge the omission of Figures 22-25, and choose option III of the Notice to File Missing Parts, hereby accepting the application as deposited with the USPTO. A Preliminary Amendment directing entry of a substitute specification, accompanied by a marked-up version of the original specification, accompanies this paper.

Subsequent to the filing of this application, but after the three-month time period for requesting a refund, the assignee, Genset S.A., notified undersigned that it had become a small entity. Based on this assertion, Applicants claim small entity status and submit small entity fees herewith.

Please charge the small entity surcharge of \$65.00 to Deposit Account No. 19-0065. The Commissioner is hereby authorized to charge any additional fees that may be required to Deposit Account No. 19-0065. Two copies of this transmittal letter are enclosed.

Respectfully submitted,



Frank C. Eisenschenk, Ph.D.

Patent Attorney

Registration No. 45,332

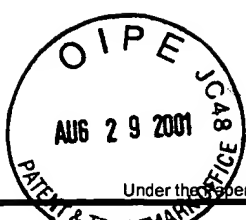
Phone No.: 352-375-8100

Fax No.: 352-372-5800

Address: Saliwanchik, Lloyd & Saliwanchik
A Professional Association
2421 NW 41st Street, Suite A-1
Gainesville, FL 32606-6669

FCE/jaj

Enclosures: Copy of Executed Declaration and Power of Attorney
Copy of Assignment to Genset
Revocation and New Power of Attorney
Copy of Notice to File Missing Parts
Submission of Sequence Listing and Statement Under 1.821
Paper Copy of Sequence Listing
Statement Under 37 C.F.R. § 1.125(b)
Redlined and Clean Versions of Substitute Specification, pages 1-166 and 175
Extra Copy of this Transmittal Letter
Fee Transmittal Form (in triplicate)
Return Receipt Post Card



PTO/SB/17 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$5.00)

Complete if Known

Application Number	09/853,526
Filing Date	May 11, 2001
First Named Inventor	Daniel Cohen, <i>et al.</i>
Group Art Unit	1653
Examiner Name	
Attorney Docket No.	GEN-T111XC3D1

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 19-0065

Deposit Account Name Saliwanchik, Lloyd & Saliwanchik

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit Card ☐ Money Order ☐ Other

FEE CALCULATION**1. BASIC FILING FEE**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	FEE PAID
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$0.00)

2. EXTRA CLAIM FEES

Total Claims -20** = X =

Independent Claims -3** = X =

Multiple Dependent =

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3 Multiple dependent claim, if not paid
104	270	204	135	**Reissue independent claims over original patent
109	80	209	40	**Reissue claims in excess of 20 and over original patent
110	18	210	9	

SUBTOTAL (2) (\$0.00)

**or number previously paid, if greater; For Reissues, see above.

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Fee Code	Large Entity Fee (\$)	Fee Code	Small Entity Fee (\$)	Fee Description	FEE PAID
105	130	205	65	Surcharge-late filing fee or oath	85.00
127	50	227	25	Surcharge-late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first Month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing for a brief support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive-unavoidable	
141	1,240	241	620	Petition to revive-unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt. Recording each patent assignment per property (times number of properties)	
581	40	581	40	Filing a submission after final rejection (37 CFR §1.129(a))	
146	710	246	355	For each additional invention to be examined (37 CFR §1.129(b))	
149	710	249	355	Request for Continued Examination (RCE)	
179	710	279	355	Request for expedited examination of a design application	
169	900	169	900		

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$65.00)

SUBMITTED BY**Complete (if applicable)**

Name (Print/Type)	Frank C. Eisenschenk, Ph.D.	Registration No. (Attorney/Agent)	45,332	Telephone	352-375-8100
Signature				Date	August 27, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/853,526	05/11/2001	Daniel Cohen	GEN-T111XC3D1

CONFIRMATION NO. 7147

FORMALITIES LETTER



OC00000006230905

23557
SALIWANCHIK LLOYD & SALIWANCHIK
A PROFESSIONAL ASSOCIATION
2421 N.W. 41ST STREET
SUITE A-1
GAINESVILLE, FL 326066669

Date Mailed: 06/27/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

The following item(s) appear to have been **omitted** from the application:

- Figure(s) **22, 23, 24 & 25** described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE